

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CAROL L. BROWN,
Plaintiff

v.

LM GENERAL INSURANCE
COMPANY, *et al.*,
Defendants

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CIVIL ACTION

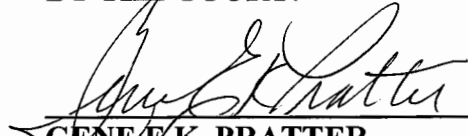
No. 21-2134

ORDER

AND NOW, this 7th day of June, 2021, upon consideration of the Complaint (Doc. No. 1-4), Defendants' Motion to Dismiss Count III and to Strike Certain Allegations and Extra-Contractual Damages (Doc. No. 3), and Ms. Brown's Response in Opposition to the Motion (Doc. No. 6), it is **ORDERED** that:

1. Count III of the Complaint is **DISMISSED WITHOUT PREJUDICE** for failure to state a claim.
2. Ms. Brown is **GRANTED** leave to file an amended complaint within 35 days of entry of this Order.
3. Defendants' Motion to Strike Ms. Brown's request for compensatory damages in Count III and for attorney's fees and costs in Counts I and II is **DEEMED MOOT**.
4. Defendants' Motion to Strike references to "reckless," "wanton" and "willful" conduct in Counts I and II is **DENIED**.

BY THE COURT:



GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE